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PACIFIC COAST NEWS.

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BY STATE TELEGRAPH.

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43 Front Street;
Sole Aground for the Celebrated
SPIDER HOSE,
A broad of Ruther Rose made expressty for une on the Section. GENERAL MEWS.

General Change in the color of the color of

Date 2. by the C. Frenche empany state the Discrepting public is being forward in Pages 1 through our research of the pages 1.

**Swallowing** 

Sparks of eligusting randoms from the order of the tonsils, Watery Eyes, Sunflien, leading in the Reis, Deafness, Constron presentions to the Head, Internat-tion Figure 1 and French, Nasal Twong, Feabs in the Nostrils, and Tick-ling is the Tayout are SIGNS of CATARREL

the blommeh and inhaled into the lungs to poince ever port of the cystem. Dr: Wed Do Meyer's Cutarth Cure absents the parallest virus and kills the seeds of poince in the farthest parts of the cystem. It will not only relieve, but extraining cure Catarth at any stage, it is the only remedy which is our judy meet, has ever yet really cured a case of Chromic Catarth.

criticis which course."

(C.H. Mannier, Fall River Mills, Onl., Cored Boolar's Court in Street Wills, Cont., Cored Boolar's Court in Street Street Wills, Source Street St Provides, Wilmington, Cal., currel of a years' (Quart).

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MPHEPRHED TO NELOCIATE HANN FOR THE PROPERTY OF A Boarding and Day School for Roys and Young little Back in 18 1 Digital NEAR UNIVERSAL AND A CONTROL OF THE PROPERTY OF THE P

THOMAS VAN 500Y, A. M., E.D. The of Model Codingward Probable of the to so MRS PLEZABITH W. ANDREW. M. F. L. W. S. ARNOLD, A. R., MINS LAURA M. ADATIS, B. M.

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No other anch heathsome, trachereds
and undermining underly curses munkind,
emergifich of our Children die of diseases
mergiet by its Infections Poison, and
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While asleep, the impurities in the
motrid-are necessarily swallowed into
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the votes were counted and the ballots sealed. No confidence in the declared result of an election is possible under such circumstances as this case exhibits. Perhaps it did not occur to the judges that they were doing wrong. We put the case in THE PRODUCT OF A NATIONAL the best light for them. We are not here as serting that their conduct was corrupt, but it cortainly was nothing less than willful neglect; and for this the statutes expressly provide a heavy penalty. Section 675 of the criminal

So jealous is the law in regard to elections that it punishes "willful neglect" of dity by any judge of election or other officer of person. The present case is one of wilfull neglect feet. There is a popular metal insight which at least—for we are not have alleging "corrupt goes right to the bottom of these crimes and that origin. The great national crime of the candidates for the mayoralty, a circumstance which is in itself not only an indecent. The great national crime of the spirit and effort of Wilses Booth, struck down President Lincoln. thing on the part of the authority that appoints supported by "bossism." senturial courtes; "
ed them, but a public wrong. If we are going to have elections they ought to be conducted robbery and public plunder, and incarnate for both in conformity with law and in a way that the time in the assassin Guiteau, struck down will give assurance of protection against fraud. President Garfield. It is as plain in the last To conclude, the common council ought to case as the first. As a single individual is throw out the second ward entire, tainted as the return is with suspicion and open as the tendency and development of an age, so a single individual is proceeding is to positive proofs of allegainy, gle crunical may be, and of an is, the most is would be a lesson togefor the future, and a complete expression of its characteristic im-.

## USES OF COMSERVATISM.

itself "progressive." It is a class of men of a radioally hold and speculative furn, and includes theorists who plausibly advance the wild est and most impracticable achieuns of action in every symme of human life. Within this class there are individuals who listen to these radicals, weigh their words, note their mistakes and taking advantage of the experience of both precept and example, put the practical truths thus gathered into effective shape and accomplish the true emiss of progress. The other class, the apposite of this, P. W. Shaefer, geologist and engineer of the bold ideas of their apponents. Thus alarmed they not only seek to annihilate the ideas and aims of their opponents, but they differ an interest output of this coal is 20,000,500 to be marrially anticipated will exhaust the whole vote their entire energies to the retention of the present status, and in not a few cases to a remaining supply it 186 years. Pennsylvania's autrum to the principales and problems of more mittes. Two duties of the whole are controlled present status, and in not a few cases to a return to the principles and inclinds of more principles and inclinds of more principles. The subdivision of this class of socioty is coreposed of those who are too is covered by the covered of the subdivision of the thing just as it is they are literal conserva- see its end."

tives, at first thought, may be questioned, account for the presence of 80 great a number but in the struggle between the progressives of ballots in the second ward sallot box, straight and the retrogressives, the conservatives, citizens' tickets, but having the name of Thomp, standing in a large body, moving neither way, some reased and that of Simon substituted, all are importantly by the two nombating Torces in the same handwriting, and running all are importanced by the two comboning increes in the same handwriting, and running an for recruits and alliances. In this way true progress gains precious time in which to formulate and put into practical the true principles sought for. Conservation is, then the break most finding and yet was not returned to the whose friction stays the current of radicalism where way until society is not into orderly account of the way and secret is not into orderly account of the way and secret is not into orderly whose friction stays the current of fadicial auditor of recommendates are not reassuring motion in its new departure. Wherever con- and the mystery of the committee departure. motion in its new departure. Wherever con-servatism has been weak in the great revolutions of society, the vitality of that society has been ruthlessly expended in the severity of the struggle, and the victory of either of the radior too far ferward - not that revolution actually has gone backward, but that the effort at revolution has failed in producing a revolu-

The function performed by the aristocratic party in England that finds its true expression the house of lords and the bench of judges, acts as a centripetal force that ever restrains the unbridled efforts of the radicals, communists and socialists. The struggle between the extremes gives opportunity for the action of the intermediary party—that of the so-called liberals—and the general results are edupro-mise measures of a reformatory character-The victory nearly always inclines towards the attacking or progressive party, but its license and anarchical character are toned down by the specific gravity of the opposing force, and WANTED A BUTCHER, AT NO. 72 WASH is manipulated to suit the accasion by the lib

In our own country the same principles are forever contending, and the same proper and wholesome service is rendered by true conservat/sm. Progressive men may be repreoy one nath, but the power that applies, tegralistic and aims the mossile is the marksman with his vital force of brain eye and terve. This power behind the impulsive and am reasonable forces of political life is the conservative men of the contarty. If we had, uted by the powder; Bourb are and stalwers a party now it would be ediled the national

and not expresentative of their people, such to lone is be expended, there without remark sequences. When he redgeed ids sear-smale the people of New York and their in the senate the people of New York and their representations in our state the people of New York and he as well a take through the New York and he as well a Third State and the New York and New York "vindication." He had to some be restricted and sent back to the senate to dontinue his inand sent back to the senate to dominus his and decent war for spoils upon the administration.

He panted for retenge in the same sairs; which additions the same sairs and sairs and sairs and He panted for revenge in the same spirit which his fellow "stalwart" Guittean has since man-

nor the same. Two-thirds of the republicamenders of the legislature have been reying elect senators who would neither give them selves my to the spoils infamy nor desert their posts at the national capital. But the remouning one-third, who are Cunkling's personal followers and obedient slaves, refuse to allow any one to be elected. Under the base system they have been tanget that their master is the state. It is to him that their obcde-needing as not only a cause public discatisfaction of to destroy public confidency in the result of declared. The judges and cherks of election committed a grave fullt. They are sed to: follow his orders. Since he cannot be closed I committed a grave full. They removed to balloctors from public slight before the counting was finished, or indeed, before it was begun, carried it off from this p-ling place to a restaurant where they took support then the trunced with the hox, not, however, to the place to grave the state of the support the restaurant where they could be supported by the counting the modestion of senators where the support of the place to the pla to New York now. But in any event Conkwhere the votes were received, but to an up-per room removed from public view, and there did the counting. Finally, the ballots were taken away without being studed as the law re-taken away without being studed as the law re-sults of the office of the taken away without being stated as the law requires, and were returned to the office of the city and/for in that condition, about the maddle of the following day.

Thus all the safeguards which the law throws around an election were disregarded by the officers of the election in the second search. Be so doing they have destroyed consequenced by the following they have destroyed consequenced about the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the future of the party can expect the first search of the first search ward. By so doing they late destroyed confidence in the result and thus have committed a great public wrong. It is not enough that our elections be conducted with perfect fairness. It must be manifest that they are so conducted; and the wirele proceeding ought to be so clear and open as so leave no suggestion of wrong. The judges had tion or suspicion of orrong. The judges had no right to remeat the ballot-box from the polling place till the count was completed and the ballot were scaled up. If was their luty to keep the box in public view till the election was shore,—and it was not done till the ballot were controlled and the ballot were solved and the ballot were solved and the ballot were controlled and the controlled and the controlled and the controlled and the ballot were controlled and the contro days intensified public feeting as to the odious ness of Conklingism. It is now more than ever probable that the thing which goes under this name will unever by heard of in state of national polities again."

A few newspapers [se-caffed] protest against the well-nigh universal opinion of press and people that the thing called "stalwartism" is responsible for the attempt to assassinate the president. Conkling indeed did not pull the Goods says:
If any judge or elect of an election, or other officers or person on whom any day is enjoined by the relative to any election subtorted by last, or to the seturn or canvascing of votel given at any such election, shall be guilty or sufficient elections, and the same, remote that there in the same, arenot that there is the person upon conviction theorem, shall be punished by the years or more than one person by the ment loss than one bundred nor more than five hundred deltars.

So jealous is the law in regard to elections. paper devoted to immorality in general, and therefore always favoring the worst thing in trary; but the effort a absolutely without efmorality. "The Annual Statistician -- 1880-1881 --

In its political and social movements the received from the hand of Z. F. McGerry, Son Francisco, it world has within itself two grand divisions or agent for the publisher for Oregon, Washing-ton and blalo. We have had occasion to no itself "progressive." It is a class of men of a tice previous issues of this work, having use

mines, Pottsville, Pennsylvania, has pubare thrown into the utmost construction at listed in essay on the anthractic etal fields of

The use, then, of these conserva- The conundram now is, How is anybody to

Once more the editor desirés to give notice addressed to The Onegonian, and not to him cal cloments has led society either too far back personally. Nor can be answer letters of inall kinds, are constantly addressed to him. Ho is forced to give this notice by pressure of these

At the residence of the bride's parents, July In. by Rev. Bories, William Rausman and Beatrice Ruppin, both of this city.

MARRIED.

In this city, July 10, Mrs. Mary L. Pitzpatrick, whre of John Pitzpatrick, spediff years 6 menths. Panical will take place at, residence, other of Pitth and Harrison.
At Officon, July 9, by accidental drowning, Ralph N. Gook, you agest some of Vinepat, and U. L. Gook, sped 4 years and 4 menths.

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He panted for retenge in the same spirst which his fellow "stalwart" Guithean has since manifested, though his methods of seeking it were lightly approximate sead was a local way to subthe some lightly than the same spirst which is methods of seeking it were lightly the same spirst which is such as the same spirst which is such

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In order to make room for large consignments of Boots and Shoes now on the way, under special contract,

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As to quantity, quality and prices, call and see. Cash buyers will find it to their interest to do so.

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SHIRTS. SHIRTS.

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MEN'S NECKWEAR. MEN'S NECKWEAR. MEN'S UNDERWEAR. MEN'S UNDERWEAR.

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SLIPPERS! SLIPPERS! SLIPPERS!

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NOW IS YOUR TIME: WE ART SELLING BOOTS AND SHOES

BEDROCK PRICES! at no dote tent or a line. The little are exalt GDF a PER the entry because there is not convince yours are shofted peach peach.

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BOOTS, SHOES, RUBBERS, Lass Trafes Saw Parish She (Printing) and Workler of All Kines.
 65 Front Street, Poethani, Or. [4]

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S. FRIEDMAN.

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Will keep a Large Assertment of Rétail at Auction Prices

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The Chenpest Place in the City for May and Differ, Blick on Page, Twenything coaker to order as you wish it.

The Best Place in the City for a fined in Coare. THE NEW YORK (OFFEE HOL)
AND REST OF RAM.
108 First St., opposite 1 black Moley,
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A PICNIC IX PINITED.

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THE BEST ON THE COAST. S A SOLONON Pro;

New Franken Chop Holls Saturday, the 21st inst. EVERYTHING NEW AND FURNIALL CLARENDON HOTEL

Strategic appoints a little for mode and Steering of the strategic for such as the strategic for such for such for such forms that are the such forms GRINES HOUSE,

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GROCERIES AND PROBUCE Supplement, Garden and Generals. Foreign and Doserstic Feats.

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HUNGARD TAXOS FROM DRIVERS (N. 1741.78) Ask your druggist or grocer for the 1970 to Wednesday, 33th July, 1881.

During the present week. For puritourities and it is a region of these the Principal.

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Thicks, two tendential models will add lifeer in street to easily limited with FOR SALE SUVERAL VALUABLE FOR AND thicks addressed in North Fund street, U.E. Friede CLARK, Read Leante Agent 28 West matery 80 (2004) FOR SALE II IMPROVED FOR A HIBBERS addition, and Foreign and the matter with house and break addition and a disco-

500-ACRE IMPROVED PARM FORMALE, THE ARMSTRONG FARM CONTAINING SE

BUSINESS SPECIALS.

BIG SHIP CITY OF QUEEE, CAPT. FALON the interespect tonscore will be a sponsible for any decision function by the form of AMERICAN ACCOUNTS SPECIAL NOTICES.

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THE COAST A SOLDMON, Prop n Chop House the 21st inst. F AND FIRST CLASS. ON HOTEL,

he Railroad and Steamai he house avery five minut he house. Street car tick HOUSE,

each, Or .

(A) PHOCURE ROOMS

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. CO., Indianapolis, MITERELS DON, Sole Agent.

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The Daily Oregonian. MOVELL MOBNING JULY 11 1841

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a ter the ingerests of his salic wards

NKULT & PIRE. "Vesterday afternoon at 12 33 fire
was discovered in the back room of G W Sayers
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ting | street The backeeper John Marphy and
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Trilland -Hon Byron & Holmes vice president that afternoon at a clock (Court Sixth at Salmon | in Williamette Iron Works returned Sarvales stre is Quite a number of the members of the Mi F church in hast Portland in lading the past r have a new is cambe to attend the camping citing heaving your ress. There was no service at the M F - har hayes

PERSONAL

W.7H SHERIDAN -Mr J P Hone who wisted francisco may be shade agent for the Sheridan at Combination Mr sheridan without the Sheridan at Combined She Institute is in the city

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T. can often the rever of Saturday at the properties of the 10.

Another sale of the Pell goods. Bedspreads lipen yolds have extains given on ears dress goods his very etc. of this day at lead 8 P. M. and da h ay during the week terminating saturday, the fib. Corner Second and Morrisan streets.

Cids & king call sites it in to their 101; ortaid : suncement found in another c. Inn a this morni

Dr Surman, eclectto physician and surgeon of fers his professional services to the proping fort land. He can be found at No. 113 Morrison street BEAL ESTATE TRANSACTIONS.

Craham and wife to C. Denginsa lot 1 bik. 6 A Graham and wife to C. Denginsa 1 A 1 Dix 13; Juny 11-31-39; D I Prettyman and wife to Thomas Burdu 6 acres see 1, T 1 S R 1 E July 1-\$1.30

MILITARY VOTES

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149 I test , Postland Or Diamonds, Watches, Jewelry, CLOCKS, SPECIACLES, ETC.

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MR. JACKSON JORDAN THE ESMOND RESTAURING Exten Literation in Life als Life fire



All mo tern improvements. I estruming the best la J. H BREANER, Prop'r.

THE MECOLAT

There ount the votes instrument in the at ober a

MPTEOROLOGICAL REPORT

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G-11 and si ver Waltham stem winding watches at greatly reduced prices at Unit Mires 181 First at corner of Yanduri or corner of Yandull

Teleph not to order of the O. I. (... when you or your fame), want a the carriage for calling or Sin a Herris siftir det des Bing (classifica g Organis at the few ppt) (file

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AND STILL THE RUSH CONTINUES.

The people are convinced that we are doing what we say, and that is, we are selling our funnerse and fine stock of MLYS ard BOYS CLOTHING, ILR- Invuishing Goods at 75 cents on the MISHING 60005, HAIS, SATCHEIS, dollar. TRUNK's etc., at prices 25 per cent, helow regular rates. On account of our stock of Starfs and The et 50 cents on early deputers for the East for fall stock. now Is the time for vecto score TIRSI-(1488 Ballettes, Price of all onand have colling in the Carlonest more and he various) top north he has its SIRAW RAIS at less than cost. SIM:

MER SIRS Mannious man place. Done Leave of apportunity below: fail to call. We me in business, and for 1s tool at . the next DRANT DAYS correling vall. be SIALGHTERED ALL KOUNS CLOTH-ING PALACI, corner kirst and Morrison

JUVENILE WRITING SCHOOL!

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PERSONAL AND GENERAL STATE TIACHERS ASSOCIATION.

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MILLINERY AND DRESSMARING

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SINGLE STRING MANAGERS
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Not be then asymmetric between the transfer of the state of the state

Gets in a scription at Collection store

Business Is quiet all over the city;

but 15440 BARMAN don't feel the offer

THE REASONS ARE:

before the 1st day of September, in order

to make room for his immense tall stock.

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Suits from \$15 00 to \$10 00

Sails from 817-50 to 812-50

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That he is officing his cultic stock of

ISAAC BARMAN.

having reduced+

That he still continues to sell the im-

of H.

DOLMANS & FRENCH HAVELOCKS.

will it a child of the figure of the figure of the fit of the fit

LEADING SUIT & CLOAR HOUSE. 158 First St. near Marrison pristin

**FANCY & STAPLE DRY GOODS** 111 First Street | Dekum s Building PAAN PRIDAGIS.

----HATS AND BONNETS.

ore purchasing Ludies will please call on

SEWING MACHINES.

REMOVAL.

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DRY GOODS, MILLINERY, ETC.

4.4 DRESS CRETONNES, 4-4 FRENCH PERCALES, 4-4 BATISTE LAWNS,

LATEST DESIGNS

12) Cents a Yard.

LETTER FROM F. L. DREW.

SAN FRANCISCO July 1 1981 MR. B. B. FULLER "Dear Sq. You will phrase close out all of the Pell consuming out by the ICIL of

This letter was received the 5th, and in second arec with the above orders I shall make a clean sweep of everything, including sixteen cases to open, containing Clothing, Hats, Lurmshing Goods, Limin Goods, Bedspreads, Blankets, Curtains, Hosicry, Planet evers. etc., etc., ending Saturday, July 16th.

WHOLESALE and RITAIL, and ALCTION I SCH DAY at 2 and 5 P. M. B. B. I I LLFR. Agort

Cor. First and Washington Sts.

Last

YOUR

TO TAKE ADVIATION OF

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DRY GOODS, **YILLINERY** 

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YOU Need. It

When you feel USFD UP. The system requires help to throw off the accumulations of the STAG-NANT PERIOD, winter.

SPRINGTIME.

Stimulate the DIGESTIVE OR-GANS, regulate the LIVER and cleanse the KIDNEYS. A wineglassful before each meal will make you believe this statement.

The, CURE DYPSOMANIA (the Alcohol disease) by their charming act on upon the STOMACH, restor ing its natural tone and entirely destroying the MORBID APPEtite for stimulants. MALARIA disappears before them, and PRR-PECT HEALTH resumes its swny. CHINCONA RUBRA (Peruvian Bark). together with other valuable ingredients, compounded with the best medical skill, Is what this is,

For sale by all Druggists, Grocers and Liquo Dealers, Order it, apiadawaram W J VNSCHI YNI R& CO , Agents Portland, Or

The Great English Remedy. is a never faiting Christon of Nervous Bullius Paper and Servous Bullius Paper and Servous Bullius Paper and Servous Bullius Paper and Servous Bullius Paper and Bunkood India and its own in manure via made and the servous Bullius and its own in manure via made and the servous Bullius and its own in manure via made and the servous Bullius and its own in manure via made and the servous Bullius Bul

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D.G. MINTIP'S KIDNEY HEMFDY, AL-PHINETICUM, cures all kinds of Mainty and , I'r Complaints Genericae diect Leuc'r cea, err uie by all druggisis, 41 a bottle, six bontles ) and DH. MINTLE'S DANDFILOS PILLA of the cot and chapper DANDFERMAND HILL OLD curry in the market. For their by all drugglets. HODG'S, DAVIH & CO., Portland, Or., Windignale age to.

3 THE CO Churt's hoell rearry in respective rache C. c. b. Ches der al. c. a. 11.
Linforth RICE & CO.
123 rad 325 Murket St., Son Linnelsco.

3: OILS AND CEMENT,

200 cases Rolled I inseed Oil, 160 cases Kinv I inseed Oil; 160 cases No I (nator Oil; 50 cases No I (nator Oil; 400 bbls White Portland Cem-400 bbls Resendale Cement.

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184 FIRST STREET 184

PRICE To All!

ONE PRICE To All

We respectfully notify the public that our store will be kept open until 9 o'clock P. M. from date until further notice, it being our endeavor to accommodate parties MOONEY & VALENTINE, unable to make their purchases at a more convenient

We call your attention to our extensive stock of

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FUNISHISHING GOODS, HATS AND CAPS, **BOOTS AND SHOES,** DRY COODS, FANCY COODS, CROCERIES, PROVISIONS, CICARS AND TOBACCO, ETC.

We will be pleased to forward our Catalogue upon application, by letter or postal card.

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GNNUME SWISS CHEESE NEW OREGON LIMBURGER. The Cheese is A. No. 1.

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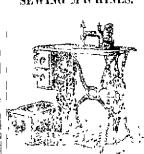
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MRS. L. PILGER,

MILLINERY.

mease stock of Clothing and Gent's Furnishing (souds, which he bought of Mr. 1. MITH at shell very lon ligures, at Just received, per steamer Collambia, a targe prices that will astonish the closest butter. HATEST SUMMER STALES IN That his entire stock must be sold on or

SINGER



We have removed ove et-

forms of Motse or and Front St.

lice from 186 Erist 8t. to 12 de Ric/So/s >1., nom Lifth, Bill much Bock.

AINSWORTH HOUSE,

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of the Fourth! IN PASE LY Sie Tet. STREET

WLES, Proper

KINS & CO.,

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on Merchants, TE DEALERS IN AND PROVISIONS

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United States Circuit Court, District of

Francy, July 8, 1881.

Dowell v. Jesse Applegate, et al. No. 684. Soft in equity "in aid of execution." 1) CONVEYAGE IN INSPECTIONALLY STAMPED - REFER I OF . See LOS LO OF THE INSPECTION FAVORED AND OF JUNE

DEADY, J.

This case was manuscenced in the stars circuit court for Discular country on Getscher II 1879, and after smarry propeeding; therein was removed to this court by too plaintiff, on December 23, 1881, cettler ground that its determination involved the construction of certain

Here the plaintin has restated his case in the i

of said deeds.

The defendants Charles and John C. Druin decare to the bill. It is not alloged in the bill that they are not purchasers in good faith and for a valuable consideration and that they are such purchastrs, was admitted on the argu-

Section 156, which is not amended by the act of July 13, 1805, supra, imposes a penalty upon any person. The shall fraudiliently make use of an adhesive leamy to draw the any daty imposed by this jet? Without a prohibition, at least in terms. But it does not follow, if it were both, that a conveyance enals contrary to it—one upon which the stamp is fraudulently uncancled—is four-force yout.

Generally where as penalty is imposed for the commission or discission of an act relating to a contract without a prohibition of such three foreign what it independs to the theory made road. In re Pirtoch, 2 Shw. 423, the court following what it independs to be the destrict of Harris v. Rungles, 12 Broward, 83, fail down the rule as follows: "Where a statute contains both a prehibition and a penalty: a contract or transaction contrary thereto is absolutely illegal and void, unless it appears, upon a consideration of fice whole art, but the ligiblature did not so intend."

And it is also admitted that a contract made contrary to a penalty may be hold with if such propers a large contrary to a penalty may be hold with if such propers and weather amovally actually the contract of the first propers are the first property at an except property and the first property and the first property in the Polame contract made contrary to a penalty may be hold with if such property is the property of the contract of the first property is the first property in the Polame contract to the polarity of the property is the property of the contract for the property is the property of the property in the Polame contract made contrary to a penalty may be hold with if such large region the Polame and the large property is an average of the property in the property in the Polame contract to the property in the property is the property in the property in the Polame contract to the property in the property in the Polame contract to the property in the property in the property is an average of the property in the pro

a certain value which shall be canceled so as to prevent their respec.

Is this case the fact that the statute has in 155, in addition to the penalty imposed upon the maker for the omission to stamp a con-veyance, provided specially that sant convey-ance shall be weld; in case such omission is

not only that the conveyance to the Drains is was insufficiently stamped or the stamps not canceled, but that the omission in other case arose, not from ancilond, or ignorance, but was the result of an "intent to creade the provisions" of the law—that is, with intent to defraud the reversation of the stamp stry. Campbully, Wilcow, 10, Wall, 422; Green v. Holway, 101, Mass., 241.

The act (schedule B) provides that when the cannellerstion" of the convexance does not

may be controlled. Therefore the stangemust be sufficient for the actual consideration, be

he same are that the bill that the convegance is question is not sufficiently stamped—the trade consideration loons 20,000, while that expressed in the decolant for which it is stamped—the stamp and that the stamp actually used is only \$500, and that the stamp actually used and fulf-grain Fine and Receiptins Provide Planets in not carried. The fit does not appear that the omission to stamp the conveyance as few a consideration of \$2,000 rather than \$500, or a consideration to expect the pure actually used. The omission to expect the pure actually used.

was the result of an intention to defrand the

As a reason is a legac, for the wester by a short the stamp, but the bit hearths at we not not note to the convergence much by said, William A, so the Dealms: (1.) To make the convergence of the spond with that in the come vapor from J. A. to it much fand to primate the purpose for which it was made to deferred the creatives of said J. A. and (2.) That an "final context of defeation was "expressed" in such conveyence with mineral to creat the regions of the conveyence with mineral to creat the regions.

thereto. Here the plaintiff has restated his case in the form of a bitl in chase ery, called "the amended hill," which was hird April 6, 1881.

The bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and of moves the bill is unitied as one win and a form a bill is unitied as one win and a form a bill is unitied as one win and a form and a submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are and as both with the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an and submitted the dentrer; there was also are an an answer and the proper of the defendant of the telegration. The best of the proper of the submitted to the are an an an and submitted to dentrer; there was also are an and submitted the dentrer; there was

Jonasibo required to account in him for the halmee due on said purchase.

The bill does not allow that J. R. had any notice of the allowed from the abstract of the conveyance to his grants, and therefore his purchase in setting, even if it does not amount to a full and, formula a veryance, is amount to a full and formal re aveyance, is good against the planifill except as to the unpaid purchase monely. For this the plaintill may, if he makes out lide case against Putinan and J. A., have a devery that I. E. pay the meptid purchase money to but and that he have a licen upon the hand the secure the same. Wood v. Monn. I Sum. 3073 [Flang v. Mann. 2 Sund. 3084, Mevelli v. Magnal, Man. 268, St. E. J., 565, c.; § 1.500, a. h. The demoter of Chaptes and John C. Drain is sustained; and that of Effenshing is over-ruled.

ulcd.
B. F. Bowell, in properly personal.
W. Carey Johnson, for the defendants.

egradors are within allow three unless of to-Lanc county, and test sey shell the rest will mapbried to first point in time be now the crop-fail. If the read is tent turnber, it will ne cho-tine braiding of the Melocute, and it country to made with the Cold. It. It. Within the

Thursdon county. In fact there is a large dear for all kinds of workingmen on the Sound, on in legging camps, saw hills, and on the rallwad One of the largest same were brought into one.

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Care Prest and Maia See, Pertiant 

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or Samuel E. May, secretary of state, dated Angust 5, 1896, and sabsequently satisfied by the plaintiff.

The bill alloges that the conveyance to this defoudant William H. H. Applegate was for 240 acres of said land for the "apparent consideration" of \$500; that said defendant on June 25, 1871, "deeded" 210 acres of the zame to Charles Deam and John C., his son, for the nominal consideration was expressed in the deed in the same of \$500 to concent the vatue of the land and to cheat and defrand the creditors" of said and to cheat and defrand the creditors of said and ond to cheat and defrand the creditors of said and that of the deal to said defendant William A.; and that the strain thereon is only 36 cents and stand of \$2 as required by the act of congress. And further, and teach and all of said conveyances, including those to said William A.; and that the strain thereon is only 36 cents and grantess with the intent of recaling the provisions of said deeds by the granters and grantees with the intent of recaling the provisions of said deeds by the granters and grantees therein well kneet that the hand conveyed by cach was at the date thereof worth more than \$1000; that the record of said deeds was made in "riolation of the spirit and meaning of \$5 152, 154 and 155" of said revenue act and that none of said stamps were "canceled" as provided in asid act, prior to the recording of said deeds.

The defendants Charles and John C. Drain dean to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last decar to the bill. It is not allowed in the last dec

from they are not produced in good tath and for a valuable consideration and that lany are such purchastrs, was admitted on the argument and thursfore they are not affected by the alloged fraud in the conveyance to said William A.

The only question made upon the denurrer is as to the validity of the deed to Drains under the scamp act off anne 20, 1884, as amended by the act of July 14, 1886. The percentions of the act which late cited as bearing upon the inguistion are found in §6 150, 156 and 158 510.

Section 152 as amended makes it uniswful to record any conveyance not duly stamped or the upon which this stamps are not cancided as required by law and declares the record of such conveyance "utterly verify and prohibits it is from being used in evidence.

Lis plain that this section in no wice infects the validity of the original conveyance, but is

moved for

In such cases much depends upon the inature and annuat if the pensity prescribed, and whether I is aimed at the contract itself or only some form or incident of it as, whether it was incident to prevent a contract or conveyances of the land in quantion, or only as a security that it should be tunde on a certain value of paper or straped with stamps of a certain value which shall be canceled so as to prevent their results.

regarder, provided aspecting and such convey ance shall be veithful case such omission is the result of a fraudulient intent, tendastrougly to show that it was not the intention of Congress to make a conveyance void for want of cauceling a strap thereon in addition to the penalty imposed on that account.

Toom a careful view of the whole act, and the circumstances of the case, it is very clear and satisfactory that view was not the intention of the legislature; and the fact that the stamps were not duly canceled as alleged in the bull, so far as § 156 it concerned, is therefore altogether inneaterial in this controversy, § 158, as amounted, previous that a person who makes a conveyance without duly stamping the same and canceling the stamps, as required by law, "with intent to evade the provisions of this act," shall be subject to a penalty, and "such! conveyance with teing stamped according to law," shall be deemed invalid and of no effort.

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Nelle, daughter of Brignel and Riorence Cooke' of
him died at the residence of Joseph Cooke in that

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ion 156, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not amended by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not amended by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act of 15, [which] is not appeared by the act o

did no so intend."

Add it is also admitted that a contract made-contrary to a penalty may be held void, if such appairs to have been the intention of the legis-lature.

invalid and of no effect.

The provision domerating the cancellation of samps and the clause, more being stamped according to law," were added to this section by the amendment of 1866.

A conveyance made converge to this section is void; but the mere unicision to samp the conveyance or cancel the stamps does not constitute or establish a violation of the section. It must be alleged and proven by the planning not only that the conveyance to the Drains was insufficiently stamped or the stamps not

tor all adous derangements, and a tople put, ative they are accorded

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